

**UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

**UNITED STATES OF AMERICA**

**VS.**

## LADY MOON FARMS COMPANY :

## **STIPULATION IN COMPROMISE**

# THE UNITED STATES OF AMERICA and Lady Moon Farms

**Company, stipulate and agree as follows:**

**WHEREAS**, the parties are the United States of America

(hereinafter referred to as "United States") and Lady Moon Farms its subsidiaries, divisions, and affiliates (hereinafter referred to as "Lady Moon Farms"); and

WHEREAS, Title 8, United States Code, Section 1324a prohibits persons and entities from knowingly hiring, recruiting, or continuing to employ aliens who are not legally authorized under federal law to work within the United States, See 8 United States Code, Section 1324a(a)(1)-(2); and

**WHEREAS**, In 2007, enforcement actions undertaken by Special Agents of Immigration and Customs Enforcement in the Middle District of Pennsylvania, documented that Lady Moon Farms employees were unknowingly hiring, and employing unauthorized aliens and may have violated Title 8, United States Code, Section 1324a; and

**WHEREAS**, following these enforcement actions, Lady Moon Farms notified the United States of its intention to take steps to ensure company-wide compliance with all aspects of federal laws governing the employment of aliens; and

**WHEREAS**, following a thorough investigation, the United States concluded that federal criminal proceedings involving Lady Moon Farms, its directors, officers, or employees would not be appropriate; and,

**WHEREAS**, the parties further jointly agree that nothing in this Complaint, or Stipulation in Compromise is, or should be in any way construed as, an acknowledgment of any civil liability or criminal culpability on the part of Lady Moon Farms, its directors, officers, or employees.

**ACCORDINGLY**, to ensure compliance with the immigration laws by Lady Moon Farms, the parties jointly agreed that the United States should bring this action to memorialize and reflect the joint commitment of

Lady Moon Farms and the United States to enjoin and prevent the employment of unauthorized aliens by Lady Moon Farms, and in furtherance of this goal, the United States and Lady Moon Farms jointly covenant and agree to the entry of an Order:

1. Permanently enjoining Lady Moon Farms from knowingly hiring, recruiting, and continuing to employ aliens who are not legally authorized to work within the United States.
2. Directing Lady Moon Farms to continue to cooperate with the United States in its investigation of alleged illegal employment practices. Cooperation shall include providing all information known regarding any criminal activity involving employment of illegal aliens, including, but not limited to, the matters described in this Agreement. Cooperation will also include (i) complying with all reasonable instructions from the United States regarding interviews of personnel by investigators and attorneys at such reasonable times and places to be determined by counsel for the United States and (ii) testifying fully and truthfully before any grand juries, hearings, trials or any other proceedings where this testimony is deemed by the United States to be relevant.
3. Directing Lady Moon Farms to maintain its own established, on-going and recently establish compliance program of taking reasonable steps to ensure that persons employed by it are authorized to work within the United States.
4. Directing Lady Moon Farms to provide its site managers with training regarding their legal obligations to prevent the knowing hiring, recruitment, and continued employment of unauthorized aliens.
5. Directing Lady Moon Farms to make a payment of \$25,000 through the United States Attorney's Office to the Treasury Forfeiture Fund for the purpose of promoting future law enforcement programs and activities in this field by Immigration and Customs

Enforcement, in accordance with the following schedule: The first payment of \$6,250 will be made within 10 days of the filing of this Complaint; the second payment of \$6,250 will be made on or before the one year anniversary of the filing of this complaint; the third payment of \$6,250 will be made on or before the two-year anniversary of the filing of this complaint; the fourth payment of \$6,250 will be made on or before the three-year anniversary of the filing of this complaint.

6. That the Consent Decree and Order entered approving the Stipulation in Compromise be a global settlement binding all components of the Department of Homeland Security.

7. That the Consent Decree and Order entered in this matter terminate on the fourth anniversary of the date the Order is entered by the United States District Court for the Middle District of Pennsylvania.

Dated this 9 day of March 2009.

UNITED STATES OF AMERICA

By:

Dated this 9 day of March 2009.

LADY MOON FARMS COMPANY

By:

Thomas W Bedard